

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SUPREME FOODSERVICE AG,

Plaintiff,

-v-

COMPASS GROUP PLC, ESS (A/K/A  
EUREST SUPPORT SERVICES), IHC  
SERVICES, INC., PETER HARRIS,  
ANDREW SEIWERT, ALEXANDER  
YAKOVLEV, MOXYCO, LTD., DOUG  
KERR, STEVE KEMP, LEN SWAIN,  
VLADIMIR KUZNETSOV, NIKAL, LTD.,  
EZIO TESTA, DMITRY YAKOVLEV AND  
OLGA YAKOVLEV,

Defendants.

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ES-KO INTERNATIONAL, INC.,

Plaintiff,

-v-

COMPASS GROUP PLC, ESS SUPPORT  
SERVICES WORLDWIDE, EUREST  
SUPPORT SERVICES (CYPRUS)  
INTERNATIONAL LIMITED, PETER  
HARRIS, ANDREW SEIWERT, STEVE  
KEMP, LEN SWAIN, STEVE  
BICKERSTAFF, DOUG KERR, IHC  
SERVICES, INC., EZIO TESTA,  
ALEXANDER YAKOVLEV, DMITRY  
YAKOVLEV, VLADIMIR KUZNETSOV,  
and JOHN DOES 1 TO 100.

Defendants.

Case No. 06 Civ. 1759 (PKC)

**NOTICE OF DISMISSAL  
WITH PREJUDICE**

Case No. 06 Civ. 2422 (PKC)

PLEASE TAKE NOTICE THAT, whereas no answer or motion for summary judgment has been served, Plaintiff Supreme Foodservice, AG, through its undersigned counsel, hereby dismisses with prejudice its claims against Defendants Compass Group,

PLC, ESS Support Services Worldwide, Eurest Support Services (Cyprus) International Limited, Steve Kemp, Len Swain, Andrew Seiwert, Doug Kerr and Peter Harris pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure.

Dated: New York, New York  
November 1, 2006

CONSTANTINE CANNON, P.C.

By: \_\_\_\_\_ /s/  
Robert L. Begleiter (RB-7052)  
Gary J. Malone (GM-3119)  
Yang Chen (YC-3782)  
Michael C. Rakower (MR-2914)

450 Lexington Avenue  
New York, New York 10017

Attorneys for Plaintiff  
*Supreme Foodservice AG*